

10/3/82

21360

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PROOF OF SERVICE OF TRUSTEE'S NOTICE OF SALE UPON PERSON HAVING A LIEN OR INTEREST
SUBSEQUENT TO THE TRUSTEE AND TRUSTEE'S INSTRUCTIONS RELATIVE THERETO (90-Day Notice)

TRUSTEE'S INSTRUCTIONS to the person who serves the Trustee's Notice of Sale attached hereto:

STATE OF OREGON,

County of Klamath } ss.

I, the undersigned Trustee, being first duly sworn, depose and say:

The person to be served named below is any person, including the Department of Revenue or any other state agency, having a lien or interest subsequent to the interest of the trustee in the trust deed described in said Notice of Sale, if such lien or interest appears of record or the trustee or the beneficiary has actual notice of such lien or interest.

You are hereby directed to serve the Trustee's Notice of Sale in the manner in which a summons is served pursuant to ORCP 7 D.(2) and 7 D.(3), upon the following person or persons:

NAME OF PERSON TO BE SERVED

PROPERTY ADDRESS

(1) Robert Thomas

930 Klamath Ave.
Klamath Falls, Or. 97601

(2) Richard Marlatt, Pres.
Certified Mortgage Co.

836 Klamath Ave.
Klamath Falls, Or. 97601

Service must be made at least 90 days before the date fixed for the trustee's sale in the Notice of Sale attached hereto. The last day for service is December 13, 1982.
As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

Subscribed and sworn to before this 19th day of November, 1982.

William M. Ganong

Trustee

(SEAL)

Notary Public for Oregon

My commission expires: 3-13-84

PUBLISHER'S NOTE: An original notice of the sale, bearing the trustee's actual signature, should be attached to the foregoing affidavit.

TRUSTEE'S INSTRUCTIONS AND PROOF OF
SERVICE OF TRUSTEE'S NOTICE OF SALE
(90-Day Notice per ORS 86.740(2))

RE: Trust Deed from
Robert Leroy Buschmann
Sylvia L. Buschmann
Grantor

TO
William L. Sisemore
Trustee

AFTER RECORDING RETURN TO

William M. Ganong
1151 Pine Street
Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of } ss.

I certify that the within instrument was received for record on the day of 1982, at o'clock M., and recorded in book/reel/volume No. on page or as document/fee/tile/instrument/microfilm No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

STATE OF OREGON

PROOF OF SERVICE

3857

I hereby certify and swear that at all times herein mentioned I was and now am a competent person 18 years of age or older and a resident of the state wherein the service hereinafter set forth was made; that I am not the beneficiary or trustee named in the original trustee's Notice of Sale attached hereto, nor the successor of either, nor an officer, director, employee or attorney for the beneficiary or trustee, or successor of either, corporate or otherwise.

I made service of the attached original Trustee's Notice of Sale upon the individuals and other legal entities to be served, named below, by delivering true copies of said Notice of Sale certified to be such by the attorney for the trustee or successor trustee, as follows:

Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy to him/her, personally and in person, at _____, on _____, 19____, at _____ o'clock ____M.

Substituted Service Upon Individual(s) _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Upon _____, by delivering such true copy at his/her dwelling house or usual place of abode, to-wit: _____, who is a person over the age of 14 years and a member of the household of the person served on _____, 19____, at _____ o'clock ____M.

Office Service Upon Individual(s) _____, at the office which he/she maintains for the conduct of business at _____, the person who is apparently in charge, on _____, 19____, during normal working hours, at to-wit: _____ o'clock, ____M.

Service on Corporations, Limited Partnerships or Unincorporated Associations Subject to Suit Under a Common Name

Upon _____, by (a) delivering such true copy, personally and in person, to _____ who is a/the _____ President thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____

* Specify registered agent, officer (by title), director, general partner, managing agent. at 836 Klamath Ave. Klamath Falls, Oregon, on Dec. 2, 1982, at 2:25 o'clock P.M.

Service Upon State of Oregon

Upon the State of Oregon by leaving such true copy with _____, a deputy/ clerk (delete word inapplicable) at the office of the Attorney General on _____, 19____, at _____ o'clock ____M.

Service Upon Public Bodies

Upon _____, by (a) serving such true copy, personally and in person on _____, who is the _____ thereof; OR

(b) leaving such true copy with _____, the person who is apparently in charge of the office of _____, who is a/the _____

* Specify director, managing agent, clerk, secretary at _____, on _____, 19____, at _____ o'clock ____M.

FURTHER, if such public body is a county, I served an additional true copy of the Notice of Sale upon _____, who is the district attorney for the county, by

(a) delivering such true copy, personally and in person, to said district attorney, OR (b) leaving such true copy with _____, the person who is apparently in charge of the district attorney's office, on _____, 19____, at _____ o'clock ____M.

EACH OF THE PERSONS, FIRMS AND CORPORATIONS SERVED BY ME IS THE IDENTICAL PERSON, FIRM OR CORPORATION NAMED IN THE TRUSTEE'S INSTRUCTIONS TO ME IN CONNECTION HEREWITH.

Service cannot be made upon _____, after reasonable efforts to do so have been made; I attempted to make service by _____

Subscribed and sworn to before me this 7th day of December, 1982.

(SEAL) _____

Notary Public for Oregon My commission expires 3-13-84

PUBLISHER'S NOTE: ORS 86.740(2) requires that the Notice of Sale be served in the manner in which a summons is served pursuant to Oregon Rules of Civil Procedure 7 D. (2) and 7 D. (3). The Proof of Service above contains most, but not all, of the methods of service. For example, this form does not include proof of service upon a minor or incapacitated person. See ORCP 7 D. (2) and 7 D. (3) for complete service methods on particular parties.

TRUSTEE'S NOTICE OF SALE

ROBERT LEROY BUSCHMANN and SYLVIA J.

Reference is made to that certain trust deed made by as grantor, to
BUSCHMANN..... as trustee,
WILLIAM L. SISEMORE..... as beneficiary,
in favor of TOWN & COUNTRY MORTGAGE & INVESTMENT CO.,
dated March 26, 1981, recorded March 27, 1981, in the mortgage records of
Klamath County, Oregon, in book/reel/volume No. M-81 at page 5488
fee/file/instrument/microfilm/reception No. (indicate which), covering the following described real
property situated in said county and state, to-wit:

Lot 8, OLD ORCHARD MANOR, in County of Klamath, State of Oregon.

NOTE: The above said beneficiary has appointed William M. Ganong, Attorney at Law,
1151 Pine Street, Klamath Falls, Oregon 97601 as Successor Trustee.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured
by said trust deed and a notice of default has been recorded pursuant to Section 86.735(3) of Oregon Revised Statutes;
the default for which the foreclosure is made is grantor's failure to pay when due the following sums:
monthly installment payments in the amount of \$162.50 each, which were due and payable
on 26th day of each of the following months: December, 1981; and January, February,
March, April, May, June, July, August and September, 1982; together with the sum of
\$485.22 which was advanced by the beneficiary on behalf of the Grantors on June 18,
1982.

By reason of said default the beneficiary has declared all obligations secured by said trust deed immediately due
and payable, said sums being the following, to-wit: principal balance on original obligation in the
amount of \$10,000.00 plus interest thereon at the rate of 19.5% per annum from November
26, 1981, until paid, and the sum of \$485.22 advanced by the beneficiary together with
interest thereon at the rate of 19.5% per annum from June 18, 1982, until paid.

WHEREFORE, notice hereby is given that the undersigned trustee will on March 15, 1982,
at the hour of 10:00 o'clock, A.M., Standard Time, as established by Section 187.110, Oregon Revised Statutes,
at Front steps of the Courthouse, County of Klamath, State of Oregon, sell at public
auction to the highest bidder for cash the interest in the said described real property which the grantor had or had
power to convey at the time of the execution by him of the said trust deed, together with any interest which he
grantor or his successors in interest acquired after the execution of said trust deed, to satisfy the foregoing obligations
thereby secured and the costs and expenses of sale, including a reasonable charge by the trustee. Notice is further
given that any person named in Section 86.760 of Oregon Revised Statutes has the right to have the foreclosure
proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other
than such portion of said principal as would not then be due had no default occurred) together with costs and trustee's
and attorney's fees as provided by law, at any time prior to five days before the date set for said sale.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes the
plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obli-
gation, the performance of which is secured by said trust deed; the words "trustee" and "beneficiary" include their
respective successors in interest, if any.

DATED October 25, 1982, at Klamath Falls, Oregon, by Wm. M. Ganong

William M. Ganong

Trustee

State of Oregon, County of Klamath, ss:

I, the undersigned, certify that I am the attorney or one of the attorneys for the above named trustee and that
the foregoing is a complete and exact copy of the original trustee's notice of sale.

Attorney for said Trustee

If the foregoing is a copy to be served pursuant to
ORS 86.740(2) or ORS 86.750(1), fill in opposite
the name and address of party to be served.

SERVE:

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

14th day of March A.D., 1983 at 2:34 o'clock P.M., and duly recorded in

Vol M83 of Mortgages on page 3856.

Fee \$12.00

EVELYN BIEHN

COUNTY CLERK

By Bernard J. Hirsch deputy